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FILED
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U.S. DISTRICT COURT E.D.N.Y.
★ DEC 21 2010 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE
SUMMONS ISSUED

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MBN INTERNATIONAL CORP. and
IOURI METELKINE,

CV 10 - 5935

Complaint

Plaintiffs,

– against –

DMITRY METELKINE,

Defendant.
-----X

MAUSKOPF, J.

AZRACK, M.J.

Plaintiffs MBN International Corp. and Iouri Metelkine complain against
defendant Dmitry Metelkine as follows:

1. Plaintiff MBN International Corp ("MBN") is a New York corporation
with its principal place of business in Staten Island, New York.
2. Plaintiff Iouri Metelkine is a citizen of the State of New York.
3. Defendant Dmitry Metelkine is a Latvian citizen who resides in
Florida. Dmitry Metelkine is the brother of Iouri Metelkine.
4. This Court has jurisdiction over this matter under 28 USC § 1332
(a)(1) in that the matter in controversy exceeds the sum of \$75,000, exclusive of
interest and costs, and is between citizens of different states or citizens of a state
and citizens of a foreign state.

5. Venue is appropriate in this district pursuant to 28 USC §1391(b) in that a substantial part of the events or omissions giving rise to the claim occurred in this district.

6. This Court has personal jurisdiction over defendants in that: (i) they regularly transact business in the State of New York; (ii) they transacted business with respect to the transaction at issue in the State of New York; and (iii) they committed a tortuous act without the State of New York causing injury to person or property within the State which they expect or should reasonably expect to have consequences in the State and they derive substantial revenue from interstate or international commerce.

7. MBN is owned \$80% by Iouri Metelkine and 20% by his mother, Diana Metjolkina. Defendant Dmitry Metelkine is not an officer, director or shareholder of MBN and had no authority to act on its behalf.

8. Dmitry Metelkine has falsely claimed that he is a shareholder, director or officer of MBN and purported to act on its behalf.

9. MBN is a shareholder of SIA Latvijas Amerikas Tirdzniecibas Sabiedriba ("LATS"), a Latvian company. Dmitry has fraudulently signed as an authorized officer of MBN on June 30, 2009 when he purported to approve the actions taken at a Board Meeting of LATS not to distribute approximately \$750,000 in profits to MBN.

11. On October 7, 2010 Dmitry Metelkine forged the signature of Iouri Metelkine who was purportedly approving actions taken at a Board Meeting of LATS on behalf of MBN.

Count One
(Declaratory Relief)

12. Plaintiffs repeat paragraphs 1 through 11.
13. A justicable controversy exists between the parties concerning whether Dmitry Metelkine is a shareholder, director or officer of MBN.
14. Plaintiffs are entitled to a declaratory judgment that Dmitry Metelkine is not a shareholder, director or officer of MBN.

Count Two
(Injunctive Relief)

15. Plaintiffs repeat paragraphs 1 through 14.
16. Plaintiffs will be irreparably harmed if Dmitry Metelkine continues to forge the name of Iouri Metelkine to purportedly act on behalf of MBN.
17. Plaintiffs have no adequate remedy at law.
18. Plaintiffs are entitled to an injunction ordering Dmitry Metelkine from forging the name of Iouri Metelkine or otherwise purporting to sign documents on behalf of MBN.

Count Three
(Fraud)

19. Plaintiffs repeat paragraphs 1 through 18.
20. Based on defendant's fraudulent representation that he was an officer of MBN who was duly authorized to sign on behalf of MBN, LATS withheld approximately \$750,000 in distributions to MBN that it would otherwise have made to MBN.
21. As a result of defendant's fraud, MBN has been damaged by not less than \$750,000.


WHEREFORE, plaintiffs demand judgment against defendants for:

- (i) a declaratory judgment determining that Dmitry Metelkine is not a shareholder, officer or director of MBN International Corp.;
- (ii) an injunction ordering Dmitry Metelkine not to forge the name of Iouri Metelkine or otherwise sign documents on behalf of MBN;
- (iii) damages of not less than \$750,000; and
- (iv) attorneys' fees, interest, costs and such other relief as the Court deems just.

Dated: New York, NY
December 20, 2010

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